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Packet No.: 3307.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Frederic Speed BANCROFT

Serial No.: 10/612,630

Art Unit: 3624

Filed: July 1, 2003

Examiner:

For: METHOD OF CONSOLIDATING INDEPENDENT  
OWNERS OF DISTRIBUTION WAREHOUSES  
INTO REAL ESTATE INVESTMENT TRUST (REIT)

**EXPRESS MAIL CERTIFICATE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

"EXPRESS MAIL" mailing label number: EQ 077625246 US

Date of Deposit: October 26, 2006

I HEREBY CERTIFY that the attached Transmittal Letter; Information Disclosure Statement; Form PTO-1449; copy of Written Opinion and 3 references; and stamped postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
ROBERT L. WADDELL

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /SC/



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**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted for filing in the above matter are:

- (1) Information Disclosure Statement;
- (3) Form PTO-1449; and
- (3) Copy of Written Opinion and References (3).

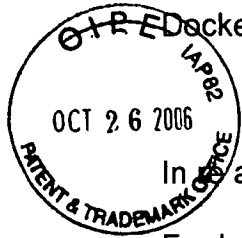
Should any fees be due with respect to this paper, please charge our Deposit

Account No. 50-2871.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert Waddell", is written over a horizontal line.

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Docket No.: 3307.01

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of:

Frederic Speed BANCROFT

Serial No.: 10/612,630

Group Art Unit: 3624

Filed: July 1, 2003

Examiner:

For: METHOD OF CONSOLIDATING INDEPENDENT  
OWNERS OF DISTRIBUTION WAREHOUSES INTO  
REAL ESTATE INVESTMENT TRUST (REIT)

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant submits this Statement in accordance with the duty of disclosure under 37 CFR § 1.56 and § 1.97-1.98. This Statement is filed in accordance with 37 CFR § 1.97(b)(3), before issuance of a First Office Action on the merits.

The references listed below were cited in a Written Opinion issued in connection with counterpart International (PCT) Application No. PCT/US2005/041013.

1. U.S. Patent Application No. 2002/0046038 A1 to Prokoski, published April 18, 2002;
2. U.S. Patent Application No. 2004/0064392 A1 to Barkman, Jr., published April 1, 2004;
3. U.S. Patent Application No. 2005/0108029 A1 to Schneider, published May 19, 2005;

A copy of the Written Opinion together with each reference and their listing on Form PTO-1449 is submitted.

Applicant requests the Examiner's consideration of the cited references and entry of them into the record of this application.

Respectfully submitted,



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PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/612,630
Filing Date	July 1, 2003
First Named Inventor	Frederic S. Bancroft
Art Unit	3624
Examiner Name	
Attorney Docket Number	3307.01

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 2002/0046038 A1	04/18/2002	Prokoski	
		US- 2004/0064392 A1	04/01/2004	Barkman, Jr.	
		US- 2005/0108029 A1	05/19/2005	Schneider	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>

Examiner  
Signature

/Siegfried Chencinski/ (03/26/2008)

Date  
Considered

03/26/2008

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /SC/